

ESTTA Tracking number: **ESTTA672215**Filing date: **05/13/2015**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Geoffrey, LLC		
Entity	limited liability company	Citizenship	Delaware
Address	One Geoffrey Way Wayne, NJ 07470 UNITED STATES		

Attorney information	Megan E. Spitz Blank Rome LLP One Logan Square Philadelphia, PA 19103 UNITED STATES spitz@blankrome.com, mhomyk@blankrome.com Phone:215-569-5745
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**Applicant Information**

Application No	86222809	Publication date	04/14/2015
Opposition Filing Date	05/13/2015	Opposition Period Ends	05/14/2015
Applicant	Hair Are Us, Inc. 888 Biscayne Blvd., #4907 Miami, FL 33132 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 026. First Use: 2011/01/31 First Use In Commerce: 2011/01/31  
All goods and services in the class are opposed, namely: Hair extensions; add-in and add-on hair accessories constructed primarily of synthetic and/or human hair


**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	3895642	Application Date	06/18/2010
Registration Date	12/21/2010	Foreign Priority Date	NONE
Word Mark	BABIES "R" US		

Design Mark	<b>BABIES "R" US</b>
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2010/06/00 First Use In Commerce: 2010/06/00 Clothing for infants and children, namely, baby bibs not of paper, body suits, bonnets, booties, bottoms, caps, cardigans, coats, coordinating sets comprising tops and bottoms, coveralls, creepers, dresses, hats, jackets, jeans, jogging suits, jumpers, jumpsuits, layette sets comprising shortalls and tops, layette sets comprising tops and pants, layette sets comprising gowns and caps, layette sets comprising overalls and tops, layette sets comprising cardigans and pants, layette sets comprising creepers and pants, layette sets comprising cardigans, tops and pants, layettes, mittens, overall sets comprising overalls and tops, overalls, pants, rain coats, rain jackets, rainwear, rompers, sandals, shirts, shoes, soft shoes, short sets, shortall sets comprising shortalls and tops, shortalls, shorts, skirts, skorts, sleepwear, snow suits, socks, sweat shirts, sweat pants, sweaters, swimsuits, swimwear sets comprising swimsuits and coverups, swimwear sets comprising swim trunks and coverups, tee-shirts, tights, tops, and wind resistant jackets


U.S. Registration No.	3895640	Application Date	05/28/2010
Registration Date	12/21/2010	Foreign Priority Date	NONE
Word Mark	SCOOPS R US		
Design Mark			
Description of Mark	The mark consists of the following: the term "SCOOPS" in red and orange shades with an ice cream cone in shades of brown, white and blue with a red cherry protruding from the first letter "O", followed by a reverse letter "R" in red containing a white star design, followed by "US" in shades of orange.		
Goods/Services	Class 030. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 confectionery products, namely, ice-cream, cookies, and pastries; coffee Class 032. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 beverages, namely, soda pop Class 035. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 retail store services featuring confectionery products, namely, ice-cream, cookies, and pastries, and beverages, namely, coffee and soda		


U.S. Registration No.	4441518	Application Date	12/15/2011
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Registration Date	11/26/2013	Foreign Priority Date	NONE
Word Mark	KIDSRUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 012. First use: First Use: 2012/04/00 First Use In Commerce: 2012/04/00 Booster seats for use in vehicles</p> <p>Class 020. First use: First Use: 2012/09/00 First Use In Commerce: 2012/09/00 Furniture; non-metal bins, crates and tote baskets for storage; bed rails; pillows; booster seats; non-metal step stools; table and chair sets; book racks; chairs; ottomans; rocking chairs; beds; bedheadboards; plastic bins for organizing</p> <p>Class 021. First use: First Use: 2012/09/00 First Use In Commerce: 2012/09/00 Dental care kits comprising toothbrushes, and floss; potties for infants, babies, toddlers and children; toothbrushes; laundry hampers for domestic or household use</p> <p>Class 024. First use: First Use: 2011/10/00 First Use In Commerce: 2011/10/00 Bedding, namely, sheets and mattress pads; pillow cases; comforters; dust ruffles; blankets, namely, children's blankets, bed blankets, thermal and fleece blankets, knit blankets and quilts; throws; bedding sets comprising quilts, blankets, bed skirts, non-metal valances made of fabrics, cotton and polyester, and sheets; sheet sets; draperies; duvet covers; non-metal valances made of fabrics, cotton and polyester; fabric window treatments, namely, curtains and sheers</p> <p>Class 027. First use: First Use: 2012/10/00 First Use In Commerce: 2012/10/00 Rugs</p> <p>Class 028. First use: First Use: 2011/08/00 First Use In Commerce: 2011/08/00 Plush toys; toy boxes</p>		

U.S. Registration No.	4176651	Application Date	03/30/2011
Registration Date	07/17/2012	Foreign Priority Date	NONE
Word Mark	TOYS R US PETS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 2012/05/07 First Use In Commerce: 2012/05/07 Pet toys

U.S. Registration No.	4335245	Application Date	09/28/2010
Registration Date	05/14/2013	Foreign Priority Date	NONE
Word Mark	KIDSRUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2012/06/17 First Use In Commerce: 2012/06/17 apparel, namely, pants, shorts, skirts,skorts, capris, coveralls, overalls, shortalls, shirts, blouses, sweaters, sweat shirts, t-shirts, vests, sleepwear, underwear, socks, tights, hosiery, bathingsuits, cover-ups, dresses, outerwear, namely, coats, and jackets, ski bibs, rainwear, jackets, layettes, hats, belts, gloves, mit-tens, scarves, shoes, slippers, boots and sandals		


U.S. Registration No.	3065294	Application Date	08/25/2004
Registration Date	03/07/2006	Foreign Priority Date	NONE
Word Mark	BIRTHDAYS "R" US		

Design Mark	<b>BIRTHDAYS "R" US</b>
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2004/08/18 First Use In Commerce: 2004/08/18 Birthday party planning

U.S. Registration No.	2981142	Application Date	06/09/2004
Registration Date	08/02/2005	Foreign Priority Date	NONE

Word Mark	SPORTS "R" US		
Design Mark	<b>SPORTS "R" US</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2003/09/16 First Use In Commerce: 2003/09/16 ON-LINE RETAIL STORE SERVICES FEATURINGSPORTING GOODS, IN-FLATABLE POOLS, GAMES, TELESCOPES, APPAREL, WATCHES AND ACCESSORIES THEREFORE AND RETAIL DEPARTMENT STORE SERVICES		

U.S. Registration No.	2970366	Application Date	04/05/2004
Registration Date	07/19/2005	Foreign Priority Date	NONE


Word Mark	GEOFFREY'S TOYS "R" US
Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2003/08/00 First Use In Commerce: 2003/08/00 RETAIL DEPARTMENT STORE SERVICES

U.S. Registration No.	3003574	Application Date	07/09/2003
Registration Date	10/04/2005	Foreign Priority Date	NONE
Word Mark	TOYS "R" US TOY BOX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/08/09 First Use In Commerce: 2001/08/09 Retail store services in a section of a food store featuring a variety of consumer goods, namely, toys, games, sporting goods, arts and crafts goods, costumes, baskets, kites, musical toys, inflatable pools and bicycles		


U.S. Registration No.	2797686	Application Date	12/17/2002
Registration Date	12/23/2003	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1992/00/00 First Use In Commerce: 1992/00/00 Charitable fund raising and charitable grantmaking services		

U.S. Registration No.	3849863	Application Date	02/09/2010
Registration Date	09/21/2010	Foreign Priority Date	NONE
Word Mark	BABIESRUS		

Design Mark	<b>BABIESRUS</b>
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Laundry detergent, baby wipes Class 005. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Infant formula and toddler formula Class 016. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Disposable diapers Class 032. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Bottled water


U.S. Registration No.	3859459	Application Date	11/30/2009
Registration Date	10/12/2010	Foreign Priority Date	NONE
Word Mark	BABIESRUS		
Design Mark			
Description of Mark	The mark consists of the word "BABIESRUS" in purple lettering with a backwards letter "R" with a white star in the center.		
Goods/Services	Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30 Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players,		



	musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travelsystems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
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U.S. Registration No.	3859458	Application Date	11/30/2009
Registration Date	10/12/2010	Foreign Priority Date	NONE
Word Mark	TOYS R US		
Design Mark			
Description of Mark	The mark consists of the words "TOYSRUS" with a backwards letter "R" in blue with a white star design in the center with the letter "T" in red, the letter "O" in orange, the letter "Y" in green" the letter "S" in red, the letter "U" in green and the letter "S" in red.		
Goods/Services	Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30 Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures,		




	safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
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U.S. Registration No.	3942695	Application Date	10/09/2009
Registration Date	04/12/2011	Foreign Priority Date	NONE
Word Mark	TOYSRUS HOLIDAY EXPRESS		
Design Mark	 <p>The logo features the word "ToysRUs" in a large, bold, black, rounded font. The letter "R" is stylized with a white five-pointed star inside its loop. Below "ToysRUs", the words "HOLIDAY EXPRESS" are written in a smaller, bold, black, sans-serif font.</p>		
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2009/07/31 First Use In Commerce: 2009/07/31</p> <p>Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety nightlights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks,</p>		

	school bags, sports bags, gift cards and gift wrap; gift registry services		
U.S. Registration No.	3815634	Application Date	06/30/2009
Registration Date	07/06/2010	Foreign Priority Date	NONE
Word Mark	TOYSRUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2009/11/30 First Use In Commerce: 2009/11/30 Batteries		
U.S. Registration No.	3724926	Application Date	04/15/2009
Registration Date	12/15/2009	Foreign Priority Date	NONE
Word Mark	BABIESRUS		
Design Mark			
Description of Mark	The mark consists of the word "BABIESRUS" with a backwards letter "R" with a star in the center.		
Goods/Services	Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30 Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, inline skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food,		

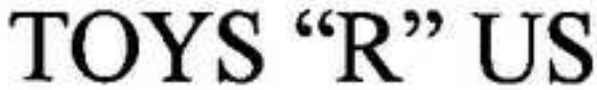
	beverages, utensils and accessories; retail store and on-line retail storeservices all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages andstrollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens,baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall pa-per, swings and bouncers, diaper bags and carriers, bath products and bibs; re-tail store and on-line retail store services all featuring, pens, paper, crayons, sta-tionery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry ser-vices
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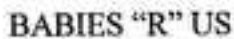
U.S. Registration No.	3724925	Application Date	04/15/2009
Registration Date	12/15/2009	Foreign Priority Date	NONE
Word Mark	TOYSRUS		
Design Mark			
Description of Mark	The mark consists of the words "TOYSRUS" with a backwards letter "R" with a star design in the center.		
Goods/Services	<p>Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30</p> <p>Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figuresand play sets, toy activity tables for children with stor-age, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys,educational toys, microscopes, telescopes, binoculars, science experiment kits,nature kits, magic sets, remote controlvehicles and toys; retail store and on-line retail store services all featuringdress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail storeservices all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages andstrollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens,baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall pa-per, swings and bouncers, diaper bags and carriers, bath products and bibs; re-tail store and on-line retail store services all featuring, pens, paper, crayons, sta-</p>		

	tionery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
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U.S. Registration No.	3647541	Application Date	01/27/2009
Registration Date	06/30/2009	Foreign Priority Date	NONE
Word Mark	R US		
Design Mark			
Description of Mark	The mark consists of a backwards letter "R" with a star in the center and the word "US".		
Goods/Services	<p>Class 035. First use: 2008/02/04 First Use In Commerce: 2008/02/04</p> <p>Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>		


U.S. Registration No.	2758567	Application Date	09/27/2002
Registration Date	09/02/2003	Foreign Priority Date	NONE

Word Mark	TOYS "R" US
Design Mark	
Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 1963/00/00 First Use In Commerce: 1963/00/00 Truck hauling

U.S. Registration No.	2494425	Application Date	11/09/2000
Registration Date	10/02/2001	Foreign Priority Date	NONE
Word Mark	BABIES "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/05/03 First Use In Commerce: 1996/05/03 Gift registry services		

U.S. Registration No.	2813374	Application Date	07/27/2000
Registration Date	02/10/2004	Foreign Priority Date	NONE
Word Mark	SPORTSRUS.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2003/09/16 First Use In Commerce: 2003/09/16 On-line retailing in the field of sporting goods		

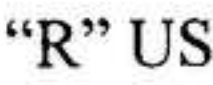
U.S. Registration No.	2587410	Application Date	07/20/2000
Registration Date	07/02/2002	Foreign Priority	NONE

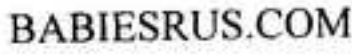
		Date	
Word Mark	1-888-BABYRUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 Providing customer services and merchandising information for the goods of others by means of telephone information		

U.S. Registration No.	2362269	Application Date	08/26/1999
Registration Date	06/27/2000	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/07/00 First Use In Commerce: 1999/07/00 Retail department store services		

U.S. Registration No.	2467339	Application Date	12/20/1999
Registration Date	07/10/2001	Foreign Priority Date	NONE
Word Mark	STICKERS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1997/01/06 First Use In Commerce: 1997/01/06 Vending machines featuring stickers and tattoos		

U.S. Registration No.	2442370	Application Date	12/20/1999
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Registration Date	04/10/2001	Foreign Priority Date	NONE
Word Mark	R US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1999/10/00 First Use In Commerce: 1999/10/00 Gift cards		

U.S. Registration No.	2691300	Application Date	08/10/1999
Registration Date	02/25/2003	Foreign Priority Date	NONE
Word Mark	BABIESRUS.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2000/06/27 First Use In Commerce: 2000/06/27 on-line retail store and retail store services featuring products ranging from books, cassettes, videos, tape recorders, monitors, humidifiers, vaporizers, laundry detergent, food, utensils and accessories, diapers, medicine, skin and hair-care products, bedding, gates, safety night lights, rear view mirror attachments, car seats, strollers, furniture, clothing and toys, and an on-line gift registry and information resources		

U.S. Registration No.	2364201	Application Date	03/18/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE

Word Mark	TOYS "R" US
Design Mark	<b>TOYS “R” US</b>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 Retail department store services

U.S. Registration No.	2370396	Application Date	02/11/1999
Registration Date	07/25/2000	Foreign Priority Date	NONE
Word Mark	TOYSRUS.COM		
Design Mark	<b>TOYSRUS.COM</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/12/14 First Use In Commerce: 1996/12/14 ON-LINE RETAIL DEPARTMENT STORE SERVICES		

U.S. Registration No.	2282394	Application Date	08/08/1996
Registration Date	10/05/1999	Foreign Priority Date	NONE
Word Mark	"R" US		
Design Mark	<b>“R” US</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 retail department store services		


U.S. Registration No.	2063369	Application Date	06/27/1996
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Registration Date	05/20/1997	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1995/09/00 First Use In Commerce: 1995/09/00 credit card services		

U.S. Registration No.	2019153	Application Date	11/22/1995
Registration Date	11/26/1996	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1995/08/14 First Use In Commerce: 1995/08/14 on line retail store services featuring computer related products		

U.S. Registration No.	2046673	Application Date	11/13/1995
Registration Date	03/18/1997	Foreign Priority Date	NONE
Word Mark	BABIES "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1996/04/30 First Use In Commerce: 1996/04/30 retail department store services		

U.S. Registration No.	1215353	Application Date	12/17/1980
Registration Date	11/02/1982	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 Retail Department Store Services		

U.S. Registration	902125	Application Date	03/19/1969
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No.			
Registration Date	11/10/1970	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 GENERAL LINE OF CHILDREN'S TOYS AND TOYNOVELTIES		

Attachments	85066530#TMSN.png( bytes ) 85050240#TMSN.png( bytes ) 85978819#TMSN.png( bytes ) 85280842#TMSN.png( bytes ) 85139917#TMSN.png( bytes ) 78473401#TMSN.png( bytes ) 78432500#TMSN.png( bytes ) 78396219#TMSN.png( bytes ) 77931308#TMSN.png( bytes ) 77881927#TMSN.png( bytes ) 77881922#TMSN.png( bytes ) 77845209#TMSN.png( bytes ) 77771324#TMSN.png( bytes ) 77714905#TMSN.png( bytes ) 77714904#TMSN.png( bytes ) 77657237#TMSN.png( bytes ) 76453343#TMSN.png( bytes ) 76162515#TMSN.png( bytes ) 76097656#TMSN.png( bytes ) 76093058#TMSN.png( bytes ) 75786109#TMSN.png( bytes ) 75876242#TMSN.png( bytes ) 75876241#TMSN.png( bytes ) 75772393#TMSN.png( bytes ) 75662997#TMSN.png( bytes ) 75639021#TMSN.png( bytes ) 75147288#TMSN.png( bytes ) 73290146#TMSN.png( bytes ) 72320104#TMSN.png( bytes ) hair are us opposition.pdf(340937 bytes ) Exhibits for R US Opposition.pdf(146924 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/matthew homyk/
Name	Matthew A. Homyk

Date	05/13/2015
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of Hair Are Us, Inc.

Application No.: 86/222,809

Filed: March 17, 2014



Mark:

Geoffrey, LLC,	:	
a Delaware limited liability	:	
company,	:	
	:	
Opposer,	:	Serial No.: 86/222,809
	:	
v.	:	Opposition No.: _____
	:	
Hair Are Us, Inc.,	:	
a Georgia corporation,	:	
	:	
Applicant.	:	
	:	

Hon. Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Attn.: Trademark Trial and Appeal Board

**NOTICE OF OPPOSITION**

Opposer, Geoffrey, LLC, a Delaware limited liability company with its principal place of business at One Geoffrey Way, Wayne, New Jersey 07470, believes that it would be damaged by the registration of the mark HAIR ARE US, shown in Application Serial No. 86/222,809 and hereby opposes the same

under the provision of Section 13 of the Trademark Act of July 5, 1946, as amended, 15 U.S.C. § 1063.

As grounds of opposition, it is alleged that:

**OPPOSER'S EXCLUSIVE RIGHTS**

1. Opposer, through its predecessors and related companies, has engaged in the marketing and sale of a wide variety of various products for babies, children and families, including but not limited to, skin and hair care products, health and beauty aids, toys, games, novelties, baby products, furniture, clothing, light fixtures, audio and visual products, fitness and sporting goods, school supplies, art supplies, science and other educational goods and equipment, safety products, electronics and technology related goods, digital media, musical instruments, food, beverages, eating and drinking utensils and apparatus, bedding and linens, home decor, medicine, first aid products, diapers, laundry products, party supplies, costumes, paper products, gift cards and various retail, credit card, gift registry and party planning services (the "Goods and Services") under the marks TOYS R US, BABIES R US, R US, "R" and "Я" ("the TOYS "R" US Marks"), both with and without quotation marks, alone and with other terms.

2. Opposer has made continuous and extensive use of its distinctive TOYS "R" US Marks, which use has developed widespread public recognition and appeal since at least as early as 1960. Opposer is the world's biggest toy store and baby and

children's products retailer, leading the industry with billions of dollars in sales annually. Opposer owns and operates over 1600 stores using its R Us family of brands, and currently sells merchandise in more than 870 stores nationwide, including Toys "R" Us and Babies "R" Us stores, and more than 725 international stores and 235 licensed stores in 37 countries and jurisdictions.

3. Opposer also provides shoppers with a broad online selection of products through its branded e-commerce websites; hosts interactive pages on a variety of social media websites; hosts an online weblog (or "blog") promoting deals and discounts at its stores and web properties; and sponsors branded mobile applications to allow consumers to shop and access information about toys and other products sold by Opposer virtually anywhere.

4. Opposer is the exclusive owner of all rights, title and interest in and to the TOYS "R" US Marks and common law rights therein in connection with the Goods and Services, and is the owner of United States Registrations and International Registrations for the TOYS "R" US Marks, which provide protection in the United States for the same, including without limitation, TOYS "R" US, U.S. Reg. No. 902,125, and many other registrations. See printouts from the United States Patent and Trademark Office database attached as Exhibit A of many trademark and service mark registrations owned by Opposer.

5. As a result of Opposer's long and extensive promotion, marketing and use of various TOYS R US, R US, "R" and "Я" marks, both with and without quotation marks, including the advertising and promotion of third party products sold by Opposer, Opposer has established and owns a family of R US marks (hereinafter, the "R US Family of Marks").

6. Opposer's R US Family of Marks has been recognized by courts and other judicial and administrative bodies as a famous family of trademarks known to consumers. J. Thomas McCarthy, a leading scholar and expert on trademark law, recognizes the R US Family of Marks among a select group of famous trademark families in his well-known treatise on trademark law. See J. Thomas McCarthy, McCarthy of Trademarks and Unfair Competition, 4th Edition §23.61, pg. 23-302.

7. Federal courts, arbitration panels and the TTAB have regularly held that the use of any other mark containing a prefix in connection with the R US mark violates TRU's rights in its R US Family of Marks. Most recently, for example, a Federal court permanently enjoined another company's use of SMOKES R US, recognizing Opposer's R US Family of Marks as a "famous and inherently distinctive ... global superbrand." In so doing, the court recognized Opposer's "exclusive right to use the R US Family of Marks in commerce in the United States." See Toys "R" Us, Inc., et al v. Smokes R Us of Pa Corp., et al, Case No. 11-cv-00820 (M.D. Pa. June 2011).

8. The fame of Opposer's R US Family of Marks is also reflected in market rankings. In 2014, STORES magazine includes Toys "R" Us in its Top 100 Retailers List. Deloitte also named Toys "R" Us as one of 2015's top "Global Powers of Retailing."

9. Opposer's registrations are valid and subsisting and are conclusive evidence of Opposer's exclusive right to use the TOYS "R" US Marks in commerce for the Goods and Services, including goods and services within its zone of natural expansion.

10. Through extensive and continuous use of the TOYS "R" US Marks, the TOYS "R" US Marks have acquired substantial goodwill in connection with the Goods and Services.

11. Opposer's extensive marketing, promotion and use of the TOYS "R" US Marks has caused customers, prospective purchasers, and the public generally to immediately associate the TOYS "R" US Marks with Opposer and to expect a wide variety of toys and related goods and services bearing the TOYS "R" US Marks to have a connection with, or association with, Opposer.

**APPLICANT' S MARK**

12. On March 17, 2014, Applicant filed application No.

86/222,809 for registration of the mark



(hereinafter "Applicant's Mark") listing its goods as "Hair



extensions; add-in and add-on hair accessories constructed primarily of synthetic and/or human hair." Applicant's Mark was published for opposition in the Official Gazette dated April 14, 2015. See printout from the United States Patent and Trademark Office database attached as Exhibit B.

13. Applicant's basis for filing Applicant's Mark is existing commercial use, pursuant to Section 1(a) of the Lanham Act, and cites January 31, 2011 as the date of First Use.

14. Opposer's use of the TOYS "R" US Mark predates Applicant's date of first use by over 50 years.

15. Applicant's Mark is confusingly similar in sound, appearance and/or meaning to Opposer's R US Family of Marks because the dominant portion of the mark incorporates Opposer's famous R US designation, which is pronounced as "are us."

16. Upon information and belief, Applicant intends to offer goods in whole or in part within the same geographic region and to the same class of purchasers as Opposer.

17. The use and registration of Applicant's Mark to identify its goods is likely to cause confusion, mistake and deception as to the source, origin, sponsorship or association of the goods, and is likely to mislead the public and/or potential clients into believing that Applicant is licensed or controlled by Opposer or that Applicant is in some way related to or affiliated with Opposer.

18. Any defects, objections or faults found with the goods sold by Applicant under Applicant's Mark, because of the false association with Opposer, would inflict upon and seriously injure the reputation of Opposer.

19. If Applicant is granted the registration herein opposed, it would thereby obtain at least a prima facie exclusive right to the use of the mark HAIR ARE US. Such registration would be a source of damage and injury to the Opposer, as well as confusion in the relevant marketplace.

20. The grant of a Certificate of Registration to Applicant for Applicant's Mark would be inconsistent with and in derogation of Opposer's prior rights and would therefore cause damage and injury to Opposer and deception of and confusion to the public.

**APPLICANT'S MARK IS LIKELY TO CAUSE CONFUSION  
AS TO SOURCE, ORIGIN, SPONSORSHIP, OR AFFILIATION**

21. In view of the similarity in overall commercial impression of the respective marks, the related nature of the goods and services of the respective parties, and Opposer's priority as to use of the mark, Opposer alleges that Applicant's mark HAIR ARE US so resembles Opposer's R US Family of Marks as to be likely to cause confusion, or mistake, or to deceive under Trademark Act Sections 2(d) and 43(a), 15 U.S.C. Sections

1052(d) and 1125(a), and will cause damage to Opposer and its goodwill represented by its prior-used marks.

22. In addition, Opposer's rights and fame in its R US Family of Marks, including those based on its extensive use, registrations and public recognition, were established long before Applicant filed its application for the mark HAIR ARE US. Thus, granting registration to Applicant would diminish and dilute the distinctive quality of Opposer's rights in its famous R US Family of Marks in violation of Trademark Act Section 43(c), 15 U.S.C. Section 1125(c), and could also in the event of any mishaps involving, or poor quality of, the goods offered by Applicant, tarnish such distinctiveness.

**APPLICANT'S MARK IS LIKELY TO DILUTE THE DISTINCTIVE  
QUALITY OF OPPOSER'S FAMOUS MARKS**

23. At all times prior to both Applicant's application to register Applicant's Mark and any use of Applicant's Mark by Applicant, Opposer's TOYS R US Marks were distinctive and had already become famous.

24. The fame and high degree of recognition afforded to the TOYS R US Marks is evident in the significant duration, extent and geographic reach of advertising and publicity bearing the marks; widespread and extraordinary sales of the Goods and Services bearing the TOYS R US Marks; widespread recognition of the TOYS R US Marks among the general consuming public; and the

registrations of the TOYS R US Marks accorded on the Principal Register.

25. That Applicant's Mark is likely to cause dilution by blurring is evident in the high degree of similarity between Applicant's Mark and the TOYS R US Marks; the high degree of inherent and acquired distinctiveness of the TOYS R US Marks; the substantially exclusive use of the TOYS R US Marks on the Goods and Services; the extraordinary degree of recognition accorded to the TOYS R US Marks by the general consuming public; the apparent intent of Applicant to create an association with the TOYS R US Marks; and any actual association between Applicant's Mark and the TOYS R US Marks that would be established during discovery.

26. The use and registration of Applicant's Mark to identify its services, after the TOYS R US Marks had become famous, is therefore likely to cause dilution by blurring or dilution by tarnishment of the TOYS R US Marks, regardless of the presence or absence of actual or likely confusion, competition, or of actual economic injury, and will injure Opposer.

For the reasons set forth in the foregoing paragraphs one through twenty-six, Opposer believes that it would be damaged by the registration of Applicant's Mark, and thus Applicant should be denied registration of the mark.

WHEREFORE, Opposer prays that this opposition be sustained and that Application Serial No. 86/222,809 be refused registration.

Respectfully submitted,

GEOFFREY, LLC

Date: May 13, 2015

By: /matthew homyk/  
Megan E. Spitz  
Matthew A. Homyk  
Its Attorneys

BLANK ROME LLP  
ONE LOGAN SQUARE  
PHILADELPHIA, PA 19103  
(215) 569-5745

CERTIFICATE OF SERVICE


I, Matthew A. Homyk, do hereby certify that I have on May 13, 2015, mailed via first class mail, the foregoing Notice of Opposition to the following:

HARRY TAPIAS  
LOIGICA, P.A.  
2 S BISCAYNE BLVD STE 3760  
MIAMI, FLORIDA 33131-1815  
UNITED STATES


/matthew homyk/  
Matthew A. Homyk


# **EXHIBIT A**


**R US Marks**



TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
TOYSRUS.COM  SN:75-639021 RN:2,370,396	Renewed July 25, 2010	(Int'l Class: 35) On-line retail department store services
TOYSRUS HOLIDAY EXPRESS and Design    SN:77-845209 RN:3,942,695 Disclaimer: "HOLIDAY"	Registered April 12, 2011	(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
TOYSRUS  SN:77-771324 RN:3,815,634	Registered July 6, 2010	(Int'l Class: 9) Batteries






TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>TOYSRUS and Design</p>  <p>SN:77-714904 RN:3,724,925</p>	<p>Registered December 15, 2009</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>
<p>TOYS R US PETS</p> <p>TOYS R US PETS</p> <p>SN:85-280842 RN:4,176,651 Disclaimer: "PETS"</p>	<p>Registered July 17, 2012</p>	<p>(Int'l Class: 28) Pet toys</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>TOYS R US and Design</p>  <p>SN:77-881922 RN:3,859,458</p>	<p>Registered October 12, 2010</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>
<p>TOYS "R" US TOY BOX</p> <p>SN:78-272088 RN:3,003,574</p>	<p>Registered 8 &amp; 15 September 13, 2011</p>	<p>(Int'l Class: 35) Retail store services in a section of a food store featuring a variety of consumer goods, namely, toys, games, sporting goods, arts and crafts goods, costumes, baskets, kites, musical toys, inflatable pools and bicycles</p>
<p>TOYS "R" US</p> <p>SN:78-195423 RN:2,797,686</p>	<p>Registered 8 &amp; 15 November 16, 2009</p>	<p>(Int'l Class: 36) Charitable fund raising and charitable grantmaking services</p>
<p>TOYS "R" US</p> <p>SN:76-453343 RN:2,758,567</p>	<p>Registered 8 &amp; 15 July 30, 2009</p>	<p>(Int'l Class: 39) Truck hauling</p>


TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
TOYS "R" US and Design    SN:75-786109 RN:2,362,269 Disclaimer: "TOYS"	Renewed June 27, 2010	(Int'l Class: 35) Retail department store services
TOYS "R" US  SN:75-662997 RN:2,364,201 Disclaimer: "TOYS"	Renewed July 4, 2010	(Int'l Class: 35) Retail department store services
TOYS "R" US  SN:75-126558 RN:2,063,369	Renewed May 20, 2007	(Int'l Class: 36) Credit card services
TOYS "R" US  SN:75-023624 RN:2,019,153	Renewed November 26, 2006	(Int'l Class: 42) On line retail store services featuring computer related products
TOYS "R" US (Stylized)    SN:73-290146 RN:1,215,353	Renewed November 2, 2002	(Int'l Class: 42) Retail department store services
TOYS "R" US (Stylized)    SN:72-320104 RN:902,125 Disclaimer: NO CLAIM OF EXCLUSIVE RIGHT IS MADE OF THE WORD "TOYS" APART FROM THE MARK AS SHOWN.	Renewed November 10, 2010	(Int'l Class: 28) General line of children's toys and toy novelties

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
STICKERS "R" US  SN:75-876242 RN:2,467,339 Disclaimer: "STICKERS"	Renewed July 10, 2011	(Int'l Class: 9) Vending machines featuring stickers and tattoos
SPORTSRUS.COM  SN:76-097656 RN:2,813,374	Registered 8 & 15 February 12, 2010	(Int'l Class: 35) On-line retailing in the field of sporting goods
SPORTS "R" US  SN:78-432500 RN:2,981,142	Registered 8 & 15 August 2, 2011	(Int'l Class: 35) On-line retail store services featuring sporting goods, inflatable pools, games, telescopes, apparel, watches and accessories therefore and retail department store services
SCOOPS R US and Design   SN:85-050240 RN:3,895,640	Registered December 21, 2010	(Int'l Class: 30) Confectionery products, namely, ice-cream, cookies, and pastries; coffee (Int'l Class: 32) Beverages, namely, soda pop (Int'l Class: 35) Retail store services featuring confectionery products, namely, ice-cream, cookies, and pastries, and beverages, namely, coffee and soda
R US and Design   SN:77-657237 RN:3,647,541	Registered June 30, 2009	(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
R US  SN:75-876241 RN:2,442,370	Renewed April 10, 2011	(Int'l Class: 16) Gift cards


TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>R RECYCLE RENEW REUSE RE-THINK and Design</p>  <p>SN:77-461061 RN:3,680,872</p>	<p>Registered September 8, 2009</p>	<p>(Int'l Class: 28) Toys, games and playthings, namely, natural wood toys, namely, wood alphabet blocks, wood toy cars, wood toy trains and wood toy fire trucks; natural plush toys and toy animals; organic cotton dolls</p>
<p>R MARKET and Design</p>  <p>SN:77-758019 RN:3,739,444 Disclaimer: "MARKET"</p>	<p>Registered January 19, 2010</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services featuring food, snacks, pretzels, chips, cookies, crackers, fruit snacks, breakfast cereals, nutrition bars, breakfast foods, drinks, beverages, non-perishable milk, bottled water, squeezable fruit products, apple sauce, health food, party supplies, disposable paper products, napkins, paper towels and toilet paper, cleaning supplies, laundry detergent, fabric softener, hand wipes, soap, baby products, baby food utensils, baby food and infant formula, diapers, baby wipes, baby changing products, health and beauty aids, skin and hair care products, personal care products, first aid and wellness products</p>
<p>R and Design</p>  <p>SN:77-655117 RN:3,647,537</p>	<p>Registered June 30, 2009</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>


TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>R and Design</p>  <p>SN:77-461047 RN:3,655,643</p>	<p>Registered July 14, 2009</p>	<p>(Int'l Class: 16) Gift cards and recyclable paper or plastic shopping bags (Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>
<p>R (Stylized)</p>  <p>SN:75-876240 RN:2,469,154</p>	<p>Renewed July 17, 2011</p>	<p>(Int'l Class: 35) Retail department store services</p>



TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>KIDS "R" US</p> <p><b>KIDS "R" US</b></p> <p>SN:85-496591 Disclaimer: "KIDS"</p>	<p>Allowed - Intent to Use Notice of Allowance Issued September 11, 2012</p>	<p>(Int'l Class: 3) Non-medicated toiletries; toothpaste; body wash, shampoo, hair detangling preparations, lip balm, cosmetic sunscreen preparations, all of the foregoing for infants, babies, toddlers and children; baby and toddler wipes (Int'l Class: 5) First-aid kits; adhesive bandages; infant food; baby food (Int'l Class: 11) Lamps (Int'l Class: 12) Booster seats for use in vehicles (Int'l Class: 16) Disposable paper seat covers for toilets and potties; disposable training pants (Int'l Class: 20) Furniture; non-metal bins, crates and tote baskets for storage; bed rails; pillows; booster seats; non-metal step stools; table and chair sets; book racks; chairs; ottomans; rocking chairs; beds; bed headboards; plastic bins for organizing (Int'l Class: 21) Dental care kits comprising toothbrushes, and floss; potties for infants, babies, toddlers and children; toothbrushes; laundry hampers for domestic or household use (Int'l Class: 24) Bedding, namely, sheets and mattress pads; pillow cases; comforters; dust ruffles; blankets, namely, children's blankets, bed blankets, thermal and fleece blankets, knit blankets and quilts; throws; bedding sets comprising quilts, blankets, bed skirts, non-metal valances made of fabrics, cotton and polyester, and sheets; sheet sets; draperies; duvet covers; non-metal valances made of fabrics, cotton and polyester; fabric window treatments, namely, curtains and sheers (Int'l Class: 27) Rugs (Int'l Class: 28) Plush toys; toy boxes (Int'l Class: 32) Fruit and vegetable juices for infants, babies, toddlers and children</p>
<p>KIDS "R" US</p> <p><b>KIDS "R" US</b></p> <p>SN:85-139917 Disclaimer: "KIDS"</p>	<p>Allowed - Intent to Use Statement of Use - Non-final Refusal Mailed September 9, 2012</p>	<p>(Int'l Class: 25) Apparel, namely, pants, shorts, skirts, skorts, capris, coveralls, overalls, shortalls, shirts, blouses, sweaters, sweat shirts, t-shirts, vests, sleepwear, underwear, socks, tights, hosiery, bathing suits, cover-ups, dresses, outerwear, namely, coats, and jackets, ski bibs, rainwear, jackets, layettes, hats, belts, gloves, mittens, scarves, shoes, slippers, boots and sandals</p>
<p>GEOFFREY'S TOYS "R" US</p> <p>SN:78-396219 RN:2,970,366 Disclaimer: "TOYS"</p>	<p>Registered 8 &amp; 15 July 16, 2011</p>	<p>(Int'l Class: 35) Retail department store services</p>
<p>BIRTHDAYS "R" US</p> <p>SN:78-473401 RN:3,065,294 Disclaimer: "BIRTHDAYS"</p>	<p>Registered 8 &amp; 15 March 22, 2012</p>	<p>(Int'l Class: 41) Birthday party planning</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
BABIESRUS.COM  SN:75-772393 RN:2,691,300	Registered 8 & 15 July 31, 2009	(Int'l Class: 35) On-line retail store and retail store services featuring products ranging from books, cassettes, videos, tape recorders, monitors, humidifiers, vaporizers, laundry detergent, food, utensils and accessories, diapers, medicine, skin and hair care products, bedding, gates, safety night lights, rear view mirror attachments, car seats, strollers, furniture, clothing and toys, and an on-line gift registry and information resources
BABIESRUS    SN:77-931308 RN:3,849,863	Registered September 21, 2010	(Int'l Class: 3) Laundry detergent, baby wipes (Int'l Class: 5) Infant formula and toddler formula (Int'l Class: 16) Disposable diapers (Int'l Class: 32) Bottled water



TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p data-bbox="77 224 282 281">BABIESRUS and Design</p>  <p data-bbox="77 415 250 472">SN:77-881927 RN:3,859,459</p>	<p data-bbox="386 224 597 281">Registered October 12, 2010</p>	<p data-bbox="662 224 1534 1226">(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
BABIESRUS and Design  SN:77-714905 RN:3,724,926	Registered December 15, 2009	(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
BABIES "R" US  BABIES "R" US  SN:85-066530 RN:3,895,642	Registered December 21, 2010	(Int'l Class: 25) Clothing for infants and children, namely, baby bibs not of paper, body suits, bonnets, booties, bottoms, caps, cardigans, coats, coordinating sets comprising tops and bottoms, coveralls, creepers, dresses, hats, jackets, jeans, jogging suits, jumpers, jumpsuits, layette sets comprising shortalls and tops, layette sets comprising tops and pants, layette sets comprising gowns and caps, layette sets comprising overalls and tops, layette sets comprising cardigans and pants, layette sets comprising creepers and pants, layette sets comprising cardigans, tops and pants, layettes, mittens, overall sets comprising overalls and tops, overalls, pants, rain coats, rain jackets, rainwear, rompers, sandals, shirts, shoes, soft shoes, short sets, shortall sets comprising shortalls and tops, shortalls, shorts, skirts, skorts, sleepwear, snow suits, socks, sweat shirts, sweat pants, sweaters, swimsuits, swimwear sets comprising swimsuits and coverups, swimwear sets comprising swim trunks and coverups, tee-shirts, tights, tops, and wind resistant jackets
BABIES "R" US  SN:76-162515 RN:2,494,425	Renewed October 2, 2011	(Int'l Class: 35) Gift registry services

<b>TM/SN/RN/Disclaimer</b>	<b>Status/Status Date</b>	<b>Full Goods/Services</b>
BABIES "R" US  SN:75-017902 RN:2,046,673 Disclaimer: "BABIES"	Renewed March 18, 2007	(Int'l Class: 42) Retail department store services
1-888-BABYRUS  SN:76-093058 RN:2,587,410	Renewed July 2, 2012	(Int'l Class: 35) Providing customer services and merchandising information for the goods of others by means of telephone information
"R" IS FOR REWARDS! (Stylized)    SN:78-939787 RN:3,621,074	Registered May 12, 2009	(Int'l Class: 36) Financial services, namely, providing credit card services, charge card services, and issuing stored value prepaid and discount cards
"R" US  SN:75-147288 RN:2,282,394	Renewed October 5, 2009	(Int'l Class: 35) Retail department store services
"R" and Design    SN:76-386805 RN:2,715,408	Registered 8 & 15 May 29, 2008	(Int'l Class: 35) Retail department store services and on-line retail department store services
KIDS R US***  RN: NE 1281308 AN: 19500109  TOYS R US, INC. (CORP.); 395 W. PASSAIC ST. ROCHELLE PARK	NEBRASKA - Registered	(Int'l Class: 42) not available

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
BABIES "R" US***  RN: NH 417190 AN: 63300181  TOYS R US, INC. (CORP.); 395 W. PASSAIC ST. ROCHELLE PARK	NEW HAMPSHIRE - Registered	(Int'l Class: 35) retail of infant clothing and accessories

\*\*\* Marks registered in U.S. states by Toys R Us, Inc

# **EXHIBIT B**



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

Mar 25, 2015

### NOTICE OF PUBLICATION

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| 3. International Class(es):<br>26    |  |
| 4. Publication Date:<br>Apr 14, 2015 | 5. Applicant:<br>Hair Are Us, Inc.           |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

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